



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Application of: Jean-Marie VOGEL *et al.*

Application No.: 09/528,989

Group Art Unit: 1617

Filed: March 20, 2000

Examiner: L. WELLS

For: INJECTABLE AND SWELLABLE
MICROSPHERES FOR TISSUE
BULKING

Attorney Docket No.: 9676-292

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Affirm
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RESPONSE TO RESTRICTION REQUIREMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

This is in response to the Office Action dated June 18, 2002, in which the application was examined for restriction purposes only. Applicant respectfully requests entry of the following remarks and provisional elections. Also submitted herewith is a Petition for Extension of Time, which extends the time for response to the Restriction Requirement to November 18, 2002.

REMARKS

The Examiner has sought to restrict the application to one of the following groups: Group I, claims 1-20, drawn to injectable compositions for tissue bulking; Group II, claims 21-46, drawn to methods of tissue bulking; and Group III, claims 47-51, drawn to kits for performing tissue bulking.

Applicants provisionally elect, with traverse, Group I, claims 1-20. Applicants respectfully submit, however, that a single search would encompass the claims as currently presented and that the restriction requirement should be withdrawn, based upon discussions herein. Applicants reserve the right to petition from the restriction requirement under 37 C.F.R. § 1.144. In addition, Applicants reserve the right to file divisional or other continuing applications for the non-elected claims, as well as any other matter disclosed in the present application which is not encompassed by the elected claims.